



Republic of the Philippines
Department of Education

01 APR 2015

DepEd MEMORANDUM
No. **28**, s. 2015

DISSEMINATION OF DENR ADMINISTRATIVE ORDER NO. 2015-01
(Guidelines for the Processing and Issuance of Special Patents
for Public School Sites Under Republic Act No. 10023)

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
Schools Division Superintendents
Heads, Public Elementary and Secondary Schools
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of Department of Environment and Natural Resources (DENR) Administrative Order No. 2015-01 dated March 4, 2015 entitled **Guidelines for the Processing and Issuance of Special Patents for Public School Sites Under Republic Act No. 10023**.
2. Immediate dissemination of this Memorandum is desired.


BR. ARMIN A. LUISTRO FSC
Secretary

Encl.:
As stated

Reference:
None

To be indicated in the Perpetual Index
under the following subjects:

BUREAUS AND OFFICES
LEGISLATION
RULES AND REGULATIONS

SCHOOLS
SITES

Madel: Dissemination of DENR AO No. 2015-01
0191-March 21, 2015/3-23



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. (632) 929-66-26 to 29 • (632) 929-62-52
929-66-20 • 929-66-33 to 35
929-70-41 to 43

DENR Administrative Order
No. 2015 - 01

MAR 04 2015

**SUBJECT: GUIDELINES FOR THE PROCESSING AND ISSUANCE
OF SPECIAL PATENTS FOR PUBLIC SCHOOL SITES
UNDER REPUBLIC ACT NO. 10023**

Pursuant to Section 4 (Special Patents) and Section 7 (Implementing Rules and Regulations) of Republic Act No. 10023, otherwise known as "An Act Authorizing the Issuance of Free Patents to Residential Lands", the following guidelines for public school sites are hereby promulgated:

Section 1. Scope and Coverage- These guidelines shall cover alienable and disposable public agricultural lands actually possessed, occupied and used for public schools of all levels and classification under the supervision and control of the Department of Education (DepEd) and the Commission on Higher Education (CHED) regardless of period of possession. It shall also include all other lands devoted to providing education and education related services such as, but not limited to, those used for offices, canteens, gardens, athletic fields, sports complex, sports courts, clinics, gymnasiums, car parks, science centers, nature parks and other related areas.

School sites with existing proclamations but are still untitled are also covered under this Order for the purpose of issuance of Special Patents.

Section 2. Definition of Terms- As used in this Order, the following terms shall be construed to mean as follows:

1. **Agricultural lands** - refer to such lands of the public domain subject to alienation and disposition by the State in accordance with the Public Land Act, as amended, and other related laws.
2. **Alienable and Disposable lands-** public lands that are susceptible of being disposed to qualified beneficiaries under applicable laws and regulations providing for land disposition. It shall include all public agricultural lands that are covered by different deeds of conveyance in the name of the proposed school site but are still untitled and are not under any court process.

A handwritten signature in black ink, appearing to be a stylized 'A' or similar character.

3. **Approved plan** - refers to a survey plan showing the metes and bounds of a parcel of agricultural land (alienable and disposable) and other pertinent information, verified and approved by proper DENR authority.
4. **CENR Office** - as used in this Order, refers to the Community Environment and Natural Resources Office or an Implementing PENR Office in provinces where there is no CENR Office.
5. **CHED** - Commission on Higher Education
6. **DepEd** - Department of Education
7. **PENR Office** - Provincial Environment and Natural Resources Office
8. **Public use or public purposes** - utilization of parcels of land exclusively by the government or any of its instrumentalities in providing services to the general public, such as, but not limited to, market places; town, city, provincial, or barangay halls; hospitals, clinics and health centers; police stations, outposts, jails, and the like. It shall also refer to the utilization of parcels of land for structures which are open to the general public, including, but not limited to, public plazas, parks, resorts, roadways, recreational facilities, libraries, meeting places, playgrounds, public parking lots and the like.
9. **Special Patent** - a public instrument issued by the government confirming the grant by the State of the ownership over a parcel of agricultural land (alienable and disposable) in favor of a grantee.

Section 3. To Whom Special Patent for Public Schools is Issued- School site Special Patents shall be issued under the name of the Republic of the Philippines, Department of Education and the name of the school as indicated in the Judicial Form.

For school sites under CHED, the title shall be issued under the Name of the School and the Republic of the Philippines.

Section 4. Who May Request for the Issuance of a Special Patent- The Superintendent of the Division of Schools or any authorized Officer of the DepEd Central Office may request for the issuance of a school site Special Patent.

For school sites under the jurisdiction of CHED, any authorized Officer of the CHED or the higher educational institution may request for the issuance of a Special Patent.



Section 5. Requirements for Requesting for the issuance of a School Site Special Patent- The following requirements are necessary for the processing of the request for issuance of the school site Special Patent:

A. For the DepEd or CHED

1. Request by the Superintendent of the Division of Schools or Authorized Official from the DepEd Central Office, authorized officer of CHED or higher educational institution, as the case may be, for the issuance of Special Patent;
2. Historical background of possession / occupation;
3. Recent photographs showing the panoramic view of the area as well as adjacent areas, vicinity improvements introduced, buildings, landmarks, identifying features, settlements, if any, etc.; and
4. Certification of no pending land registration application over the proposed area issued by the Regional Trial Court (RTC)/Land Registration Authority (LRA) having jurisdiction over the land.

B. For the Department of Environment and Natural Resources

1. Copy of Cadastral Map or Survey plan of the land duly approved by the concerned DENR Regional Office; and
2. Copy of Technical Description of the parcel of land subject of the application.
3. Certification that the land is classified as A and D/agricultural

Section. 6. Procedure for the processing of requests. - Requests for the issuance of Special Patents for public schools shall be filed in the CENR Office (or implementing PENR Office) that exercises jurisdiction over the area where the parcel of land subject of the request is situated. For public school sites in the National Capital Region, the request shall be submitted and processed at the DENR NCR Regional Office.



A. At the CENR Office:

1. Request for issuance of Special Patents shall be accompanied by the requirements mentioned in Section 5, Par. (A) hereof.
2. Posting of Notices. – Upon receipt of the request, the CENR Office concerned shall cause the posting of notices for fifteen (15) days in the municipal or city hall, barangay hall and the public school premises. The CENR Officer shall issue the certificate of posting of notice after the 15-day period has elapsed.
3. The CENR Office is required to process the request, within a period of one hundred twenty (120) days from the date of filing of the accomplished request form in accordance with RA No. 10023. The 120-day period starts upon filing of an accomplished request for Special Patent. The period for verification with the records (e.g. to determine whether or not a patent had already been issued for the parcel in question) shall be included in the 120-day period.
4. In case the school site has no approved survey, the CENR Officer shall issue a Survey Authority/Order to DepEd or DENR Survey Unit for the survey of the parcel. In such a case, the survey and investigation under the next preceding section shall as far as practicable be accomplished simultaneously. However, the period for approval of surveys shall not be included in the 120-day period.
5. The designated land investigator shall conduct an ocular inspection on the parcel of land, subject of the request for issuance of Special Patent. He/she shall determine the eligibility of the land under the provisions of RA 10023 as well as verify the claims of the requesting party on the land. The land investigator shall acknowledge the receipt of all documents pertaining to the request for the issuance of a Special Patent.
6. The investigation report shall contain, among others, that the land is alienable and disposable and that the land is actually possessed, occupied and used as a public school site.
7. In case an opposition is filed, the 120-day period for processing shall be deemed interrupted. Only oppositions based on a Certificate of Title duly issued to the oppositor over the same parcel shall be given due course. The CENR



Officer shall refrain from entertaining oppositions based on frivolous claims.

8. The CENR Officer shall fast track the resolution of all oppositions arising from the Special Patent requests through the use of alternative dispute resolution (ADR) mechanisms. The CENR Officer shall resolve the opposition or make a recommendation within 30 days from the filing of such opposition.
9. Upon approval of the CENR Officer, the request and the complete records of the Special Patent shall be forwarded to the PENR Officer for his/her approval and signature.
10. The CENR Officer shall include all records of the Special Patent in the Land Administration and Management System (LAMS).

B. At the PENR Office:

The PENR Officer shall have five (5) days from the receipt of the transmittal from the CENR Officer to approve or disapprove the Special Patent request. In the NCR, the Regional Director shall approve and sign the Special Patent.

In case of disapproval of the request, the same is without prejudice to the re-filing thereof.

Section 7. Patent Numbering. – The PENR Office shall assign a unique number for every Special Patent approved and signed by him. Such number shall have a prefix representing special patent (SP), School site (Sch), a three-letter provincial code (ex. Abra - ABR) and a 4 digit sequential number beginning with 0001 for every province. The list of the three-letter provincial code is attached in this Order as Annex 1.

Ex. Special Patent No. SP-Sch-ABR-0001 for the first special patent issued in the province of Abra under this Order.

Section 8. Pending Applications. – Pending Special Patent applications or requests for proclamations on lands actually used for educational purposes shall be automatically converted to request for issuance of Special Patents under RA 10023 unless otherwise disqualified from the provisions of the law and this Order. For this purpose, the documentary requirements submitted to support the application or request for proclamation shall, as far as practicable, be used in the application for Special Patents.



Upon the effectivity of this Order, all applications or requests for Special Patents that are under process or review at the PENROs, Regional Offices, the Land Management Bureau and the DENR Central Office shall be forwarded to the concerned CENRO or Implementing PENRO, as the case may be, for further action.

The land investigator concerned shall see to it that the application is amended accordingly and updated to comply with the requirements under RA 10023 and this Order. The CENRO shall also notify the requesting party of the new procedure for the issuance of the Special Patent.

Section 9. Transmittal to the Registry of Deeds. - Upon the approval of the Special Patent by the PENR Officer, he/she shall transmit the Patent to the Registry of Deeds for registration. The PENR Office shall inform the requesting party of the transmittal.


The requesting party for the issuance of the Special Patent shall bear all the necessary expenses for the registration of the Patent and the duplicate copy thereof, including the copy for submission to the Land Management Bureau (LMB) for recording purpose.

Section 10. Monitoring. - The PENR Office shall forward a copy of the processed request for Special Patent to the LMB through channels, for monitoring and recording.

Section 11. Separability Clause.- If, for any reason, any section or provision of this Order is declared null and void, no other section, provision or part thereof shall be affected and the same shall remain in full force and effect.

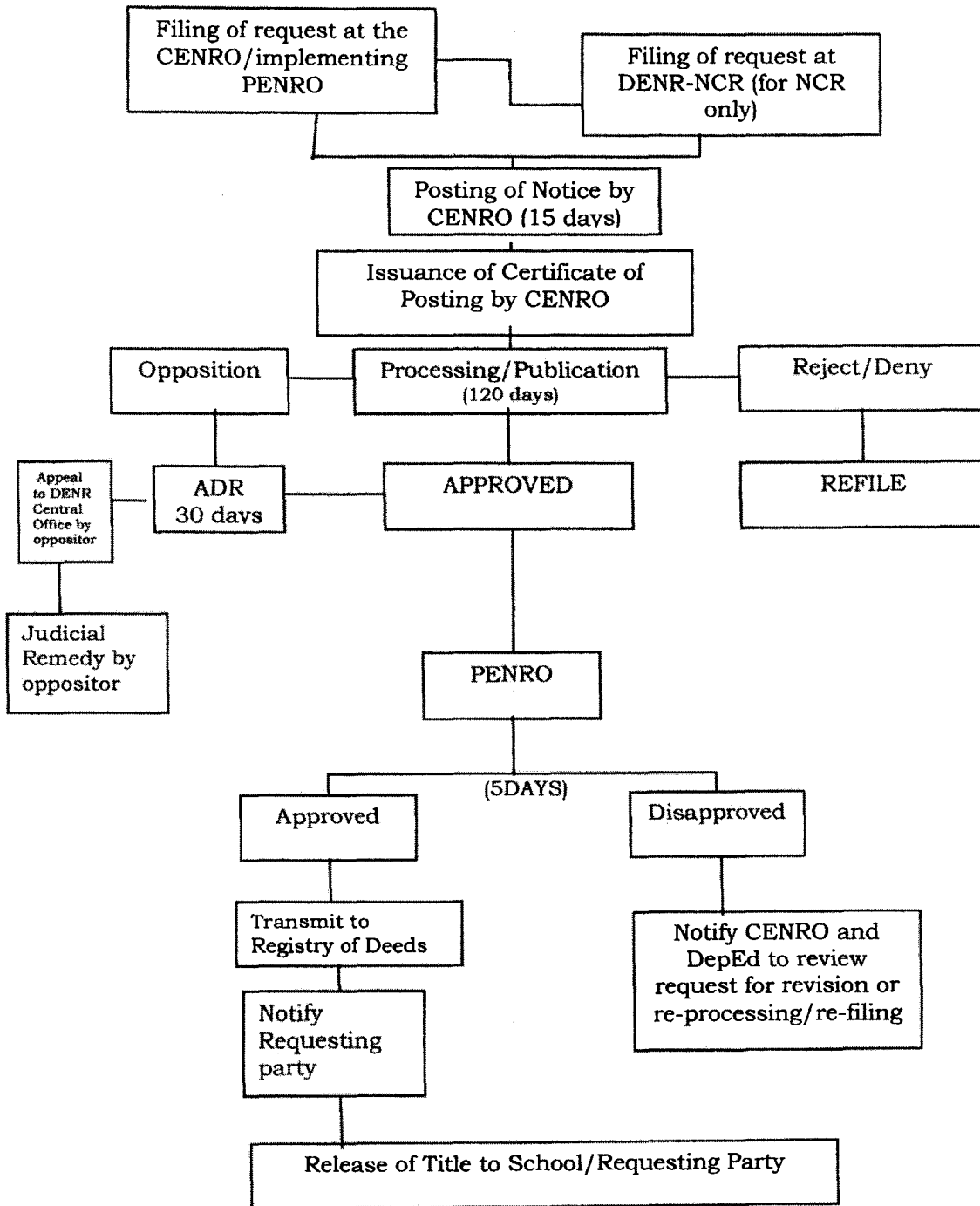
Section 12. Repealing Clause. - All orders, circulars, memoranda and other issuances inconsistent herewith are hereby repealed, amended and/or modified accordingly.

Section 13. Effectivity. - This order shall take effect fifteen (15) days after the publication thereof in a newspaper of general circulation and acknowledgment of receipt of a copy thereof by the Office of the National Administrative Register (ONAR).


RAMON J.P. PAJE
Secretary
NT *ant*



Flowchart for the Processing and Issuance of Special Patents for Public School Sites Under RA 10023



A

Annex 1 List of Provincial Codes

	PROVINCE	CODE
1.	Abra	ABR
2.	Agusan del Norte	AGN
3.	Agusan del Sur	AGS
4.	Aklan	AKL
5.	Albay	ALB
6.	Antique	ANT
7.	Apayao	APA
8.	Aurora	AUR
9.	Basilan	BAS
10.	Bataan	BAN
11.	Batanes	BTN
12.	Batangas	BTG
13.	Benguet	BEN
14.	Biliran	BIL
15.	Bohol	BOH
16.	Bukidnon	BUK
17.	Bulacan	BUL
18.	Cagayan	CAG
19.	Camarines Norte	CAN
20.	Camarines Sur	CAS
21.	Camiguin	CAM
22.	Capiz	CAP
23.	Catanduanes	CAT
24.	Cavite	CAV
25.	Cebu	CEB
26.	Compostela Valley	COM
27.	Cotabato	NCO
28.	Davao del Norte	DAV
29.	Davao del Sur	DAS
30.	Davao Oriental	DAO
31.	Dinagat Island	DIN
32.	Eastern Samar	EAS
33.	Guimaras	GUI
34.	Ifugao	IFU
35.	Ilocos Norte	ILN
36.	Ilocos Sur	ILS
37.	Iloilo	ILI
38.	Isabela	ISA
39.	Kalinga	KAL
40.	La Union	LUN
41.	Laguna	LAG
42.	Lanao del Norte	LAN
43.	Lanao del Sur	LAS



44.	Leyte	LEY
45.	Maguindanao	MAG
46.	Marinduque	MAD
47.	Masbate	MAS
48.	Mindoro Occidental	MDC
49.	Mindoro Oriental	MDR
50.	Misamis Occidental	MSC
51.	Misamis Oriental	MSR
52.	Mountain Province	MOU
53.	Negros Occidental	NEC
54.	Negros Oriental	NER
55.	Northern Samar	NSA
56.	Nueva Ecija	NUE
57.	Nueva Vizcaya	NUV
58.	Palawan	PLW
59.	Pampanga	PAM
60.	Pangasinan	PAN
61.	Quezon	QUE
62.	Quirino	QUI
63.	Rizal	RIZ
64.	Romblon	ROM
65.	Samar (Western Samar)	WSA
66.	Sarangani	SAR
67.	Siquijor	SIG
68.	Sorsogon	SOR
69.	South Cotabato	SCO
70.	Southern Leyte	SLE
71.	Sultan Kudarat	SUK
72.	Sulu	SLU
73.	Surigao del Norte	SUN
74.	Surigao de Sur	SUR
75.	Tarlac	TAR
76.	Tawi-Tawi	TAW
77.	Zambales	ZMB
78.	Zamboanga del Norte	ZAN
79.	Zamboanga del Sur	ZAS
80.	Zamboanga Sibugay	ZSI
81.	National Capital Region	NCR

***Codes based on International Organization for Standardization (ISO)**

99

Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office

**CHECKLIST OF DOCUMENTS FOR REQUEST FOR
ISSUANCE OF SCHOOL SITE SPECIAL PATENT**

- _____ Request Form
- _____ Historical Background of possession or occupation
- _____ Recent photographs showing the panoramic view of the area as well as adjacent areas, vicinity improvements introduced, buildings, landmarks, identifying features, settlements, if any, etc.;
- _____ Court/LRA certification of no pending land registration case
- _____ Notice of request
- _____ Certificate of Posting
- _____ Ocular Investigation Report
- _____ Cadastral Map or Survey Plan
- _____ Technical Description
- _____ Transmittal from CENRO to PENRO
- _____ Judicial Form
- _____ Order of Issuance of Special Patent



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office

**NOTICE OF REQUEST FOR ISSUANCE OF
SCHOOL SITE SPECIAL PATENT**

Notice is hereby given that _____
has filed with the CENR Office a request for the issuance of a
Special Patent under the provisions of Republic Act No. 10023 or
"An Act Authorizing the Issuance of Free Patents to Residential
Lands" over a parcel of land situated at _____

being possessed and occupied by the school and more
particularly described as follows:

containing an area of _____ more or less.

Community Environment and
Natural Resources Officer




Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office

**CERTIFICATE OF POSTING OF
NOTICE OF REQUEST FOR ISSUANCE OF
SCHOOL SITE SPECIAL PATENT**

This is to certify that the 15-day posting requirement for the issuance
of school site Special Patent under R.A 10023 of
_____ has been
completed on _____.

Posting date: _____ to _____ Posted at:
_____ and _____

Community Environment and
Natural Resources Officer



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office

**OCULAR INSPECTION REPORT FOR
SCHOOL SITE SPECIAL PATENT**

Date

This is to certify that on _____ I was on and examined the school site requested for issuance of a special patent for _____ pursuant to the provisions of R.A. 10023, situated at _____.

Findings:

1. The requesting School District Superintendent/ Authorized Official is _____.
2. The site requested for is within an alienable and disposable area.
3. That the school is in possession or actually occupying the entire land area being requested.
4. A copy of the Cadastral Map or Survey plan of the land duly approved by the concerned DENR Regional Office is hereto attached.
5. A copy of the Technical Description of the parcel of land is also attached hereto.
6. That Notice of the request was duly posted.
7. The land being requested is suitable for the issuance of a school site special patent.
8. Other findings: _____

In view of the following findings, it has been satisfactorily proven by the requesting party that the land being requested is suitable for issuance of a school site special patent under R.A. 10023. It is my recommendation that the request be granted and a Special Patent be issued.

SI/LMI/DPLI



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office

**REQUEST FOR ISSUANCE OF
SCHOOL SITE SPECIAL PATENT**

Entry No. _____

Request No: _____

Name of School: _____

Location: _____

Division of School Superintendent /

Authorized Officer: _____

Address: _____

Contact No: _____ e-mail: _____

Lot No. _____ Pls. _____

Cad. _____

Area _____

Division Superintendent /
Authorized Officer

Attachments:

- ___ Historical background of possession/occupation
- ___ Recent photographs with panoramic view and improvements
- ___ Court certification of no pending land registration case

SUBSCRIBED AND SWORN TO before me this _____ day of
_____ at _____.

Officer Authorized to
Administer Oath



SN.0000000-00

Republic of the Philippines
Department of Justice
Land Registration Authority
Registry of Deeds for the _____

Original Certificate of Title

No. _____
SPECIAL PATENT

Entered in accordance with Republic Act No. 10023 and pursuant to a Special Patent issued by the Department of Environment and Natural Resources, at Quezon City, on _____ and spread in the records of the said department as follows:

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
REGION NO. _____
SPECIAL PATENT NO. _____

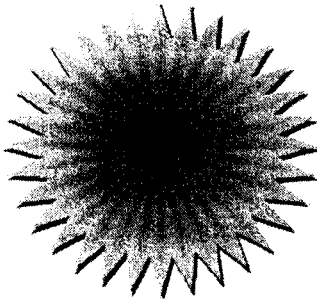
TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

The Republic of the Philippines, Department of Education / Comission on Higher Education- _____ a public educational institution, situated at _____, Region _____, is hereby granted this Special Patent with an area of _____ (_____) square meters, more or less and more particularly bounded and described at the back hereof.

This Special Patent shall not be disposed by the grantee without the authorization of Congress in accordance with Section 4 of Republic Act 10023.

Witness my hand and seal of the Republic of the Philippines this _____ day of _____ in the year Two thousand and _____.

By Authority of the President
of the Philippines



.....
Transcribed in the "Registration Book" in the Province of _____ pursuant to the provisions of Section 103 of P.D. No. 1529, on the _____ day of _____ two thousand and _____ at _____

.....
Owner's Postal Address

.....
Register of Deeds

TECHNICAL DESCRIPTION

(Continued on Additional Sheet Page.....,
Register of Deeds

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MEMORANDUM OF ENCUMBRANCES

Entry No. _____

(Continued on Page C,

.....)
Register of Deeds



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(Continued on Additional Sheet Page.....,)

Register of Deeds



SN.0000000-00

Republic of the Philippines
Department of Justice
Land Registration Authority
Registry of Deeds for the _____

Original Certificate of Title

No. _____
SPECIAL PATENT

Entered in accordance with Republic Act No. 10023 and pursuant to a Special Patent issued by the Department of Environment and Natural Resources, at Quezon City, on _____ and spread in the records of the said department as follows:

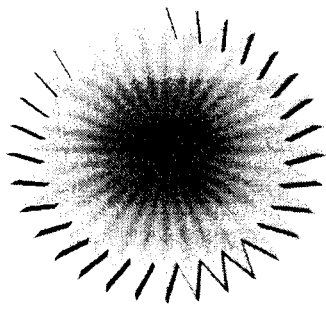
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
REGION NO. _____
SPECIAL PATENT NO. _____

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

The Republic of the Philippines, Department of Education / Comission on Higher Education- _____ a public educational institution, situated at _____, Region _____, is hereby granted this Special Patent with an area of _____ (_____) square meters more or less and more particularly bounded and described at the back hereof.

This Special Patent shall not be disposed by the grantee without the authorization of Congress in accordance with Section 4 of Republic Act 10023.

Witness my hand and seal of the Republic of the Philippines this _____ day of _____ in the year Two thousand and _____.



By Authority of the President
of the Philippines

Transcribed in the "Registration Book" in the Province of _____ pursuant to the provisions of Section 103 of P.D. No. 1529, on the _____ day of _____ two thousand and _____ at _____.

Owner's Postal Address

Register of Deeds

TECHNICAL DESCRIPTION

(Continued on Additional Sheet Page.....)
Register of Deeds



MEMORANDUM OF ENCUMBRANCES

Entry No. _____

(Continued on Page C,

.....)
Register of Deeds



Continued from Page B

(Continued on Additional Sheet Page.....)

Register of Deeds



Republic of the Philippines
Department of Environmental and Natural Resources
Provincial Environmental and Natural Resources Office

**ORDER: ISSUANCE OF
SCHOOL SITE SPECIAL PATENT**

It appearing that in the investigation conducted by the Land Investigator/Inspector whose report was duly submitted and the records of the request duly endorsed by the CENRO, it has been ascertained that the request of _____ over a parcel of alienable and disposable land situated at _____ under Special Patent Entry No. _____ has all the necessary prerequisites as mandated by R.A. 10023 for the grant of a school site Special Patent and that the notices has been posted, and that no other person or entity has proved a better right to the land subject of the request. It is HEREBY ORDERED that the Special Patent be prepared and issued to the school.

Provincial Environment and
Natural Resources Offices

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